

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

MAY 5, 2000

(Published May 13, 2000, in *Finance and Commerce*)

Council Chamber

Minneapolis, Minnesota

May 5, 2000 - 9:30 a.m.

President Cherryhomes in the Chair.

Present - Council Members Lane, McDonald, Thurber, Ostrow, Campbell, Niland, Goodman, Colvin Roy, Herron, Mead, President Cherryhomes.

Absent - Johnson, Biernat.

Campbell moved to amend the agenda as follows:

a) to adjourn to Room 315 City Hall to consider the Sizer, et al vs. City of Minneapolis lawsuit and to discuss the City's policy on rehiring of retirees;

b) to add a motion by Goodman to waive the 30-day filing requirement for applicant Jason McLean for a business district block event to be held May 21, 2000; and

c) to add a resolution relating to the Minneapolis Public Library Board's policy on access to the Internet. Seconded.

Adopted upon a voice vote.

Campbell moved acceptance of the minutes of the regular meeting of April 21, 2000. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS:

COMMUNITY DEVELOPMENT (See Rep):

CITY/COUNTY TASK FORCE ON HOMELESSNESS (265841)

Report & recommendations, with Executive Summary.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265842)

2000 HOME Program: Authorize budget allocation.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265843)

Quarterly Status Report on Pending & Unfunded Projects.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265844)

Mann Theatre/Stimson Bldg: Resolution giving preliminary approval to issue bonds to renovate the Mann (Pantages), State and Orpheum Theatres & Stimson Bldg.

Lead-based Paint Hazard Control Grant: Resolution reserving CDBG funds of \$300,000 to provide matching funds for HUD Round VIII grant proposal.

Historic Mills District Master Plan: Appropriation increase to be funded from proposed grant from St. Anthony Falls Heritage Bd grant to assist in updating the Mills District Plan.

COMMUNITY DEVELOPMENT and ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (265845)

Lake St Midtown Greenway Corridor Framework Plan: Informational report, w/Attachment.

Z&P: Receive & file with comments.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (265846)

Employment & Training Program Projects: Program Year 1999 Third Quarter Status Report for Job Training Partnership Act, Community Development Block Grant, Community Resource Program, Minnesota Family Investment Program, and Welfare-to-Work Programs.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (265847)

Community Development Block Grant Year XXVI Projects: Amend Contracts of Issue Fund Availability Notices with nine agencies for funded activities.

Industry Cluster Training Program: Issue Fund Availability Notice to American Indian OIC to offer printing program.

Business Partners Program: Issue Fund Availability Notices to Youth Trust to manage Program as part of 2000 Summer Youth Program.

Bike Transportation: Execute Amendment #1 to Contract with Yellow Bike Coalition to extend performance period to August 31, 2000 to continue providing bike transportation in eligible neighborhoods.

MAYOR (265848)

Minneapolis Advisory Committee on People with Disabilities: Concur with Mayor's recommendation to appoint Steve Piekarski, and Nicole Roberts.

HEALTH AND HUMAN SERVICES and PUBLIC SAFETY AND REGULATORY SERVICES

(See Rep):

LICENSES AND CONSUMER SERVICES (265849)

Groceries & Convenience Retail Stores: Execute Pilot Delegation Agreement with Minnesota Department of Agriculture to delegate field inspection activities City's Environmental Health Division.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (265850)

Manager, School Health Services: Grant Donna Amidon 3rd step rate of pay, retroactive to November 10, 1999.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (265851)

Raze: 417 Lowry Ave N.

Rental Dwelling License at 3119 4th St N: Concur with recommendation of Rental Licensing Board of Appeals to revoke license held by Liu Chao.

LICENSES AND CONSUMER SERVICES (265852)

Europol Eva's Delicatessen (359 13th Ave NE): Grant application for Grocery License, subject to conditions.

Licenses: Applications.

POLICE DEPARTMENT (265853)

Emergency Response Unit Training: Execute agreement with Minnesota Department of Transportation to utilize property owned by MnDOT for training prior to demolition.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

POLICE DEPARTMENT (265854)

Community Service Officer Program: Execute individual contracts with CSO Intern recipients for training and to diversify program.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (265855)

2000 Public Works Work Plan.

Downtown Transportation Study: Update.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

MAYOR (265856)

Central Corridor Coordinating Committee: Recommend appointment of Council Member Joan Campbell as City representative.

PUBLIC WORKS AND ENGINEERING (265857)

2000 Street Reconstruction & Renovation Project (Harrison St NE): Designate location and improvements.

Nicollet Av Street Reconstruction and Street Lighting Project (40th to 46th St): Designate location and improvements.

Request for Use of Hennepin at 10th Ramp: Recommend denial of request of Friends of Mama D to establish an art gallery in ramp hallway.

Microtunneling Equipment: Authorize increase in contract for technicians, training and equipment for services in flood mitigation areas.

SENIOR OMBUDSMAN (265859)

Deferment of Special Assessment: Request of Frances Witherspoon, 1344 Oliver Ave N.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (265858)

East Isles Neighborhood Street Lighting Project: Project approval, assessment hearing, establish street lighting district, appropriation of funds and request for issuance of assessment bonds and including comments submitted by area residents.

Landscaping Project at Highway I-394 at Penn Ave Interchange: Funding agreement with Minnesota Department of Transportation.

Priority Vehicle Control: Agreement authorizing use of Municipal State Aid fund and with Rennix Corporation to complete necessary software modifications.

WAYS AND MEANS BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265860)

Hiawatha and Lake Redevelopment Plan: Receive & File plan.

CONVENTION CENTER (265861)

Convention Center Expansion Project: Receive and File Change Management Actions.

COORDINATOR (265862)

Geographic Customer-Based Service Delivery Project: Receive and File report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (265863)

Expert Witnesses for Police Liability Cases: Waive professional services guidelines & select experts on a case-by-case basis, and execute appropriate contracts.

Ethics Seminar: Charge \$10 fee & authorize Finance Officer to allocate excess fees to train Office of City Attorney personnel.

Settlement: Authorize settlement of claim of Sherri Halleland.

COORDINATOR (265864)

Economic Development Administration Grant: Accept \$1,000,000 grant for rehabilitation of Franklin Circles Shopping Center.

CULTURAL AFFAIRS (265865)

Donations: Accept \$6,250 from Minneapolis Foundation.

ELECTIONS DEPARTMENT (265866)

Leased Voting Equipment: Agreement with Hennepin County.

FINANCE DEPARTMENT (265867)

Space Planning & Asset Management Services: Issue RFP and extend contract with RSP Architects, Ltd.

Utility Billing Insert: Include message in July, 2000 billings.

HUMAN RESOURCES (265868)

Personnel Services: Contract with Minneapolis Public Schools, Special School District #1.

Tax-Free Parking Program: Approve, effective July 1, 2000.

Manager, Grants & Special Projects: Status change to Appointed, unclassified and Salary Ordinance.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (265869)

CityLaw Records Management System: Contract with CyCom Data Systems.

Software Support & Maintenance Services: Contract with IBM.

High-Speed Data Service: Contract with U S West.

PARK BOARD (265870)

Year 2000 Net Debt Projects: Identify projects and resolution to issue & sell bonds of \$2,200,000.

PLANNING COMMISSION/DEPARTMENT (265871)

Planner I and Planner II Positions: Upgrade 2 City Planner I positions to City Planner II.

PUBLIC AFFAIRS (265872)

Grants & Special Projects Management: Contract with Ken Brunsvold.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (265875)

Caretaker Units in Multifamily Housing: Receive & file progress report on possible demonstration project to make units comply with Zoning Code & provide affordable housing.

ZONING AND PLANNING (See Rep):

INSPECTIONS / BOARD OF ADJUSTMENT (265874)

Tharp, Kevin, 2728 Bloomington Ave S: Deny appeal relating to variation of south interior lot line with drawings, photos, map.

PLANNING COMMISSION/DEPARTMENT (265876)

Minneapolis Special School District #1, 22nd Ave S & E Lake St: Approve application to vacate right of way to permit YWCA Urban Sports Center w/findings, drawing, map.

Manley, Tom dba Manley Motors, 404 W Lake St: Approve application to rezone, w/findings, verification of petition to rezone, maps, drawings, photos.

Summary of Planning Commission actions of 4/17/00.

PLANNING COMMISSION:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265877)

Permission to vacate Ramsey St between 13th Ave NE & Broadway NE.

HENNEPIN COUNTY (265878)

Permission to vacate portion of Humboldt Ave N between 52nd & 53rd Aves N.

MOTIONS (See Rep):

ATTORNEY (265879)

Workers Compensation: Payments to City employees.

COMMUNICATIONS/VIDEO SERVICES

Cable Franchise: "Policies and Procedures Governing Application, Review and Recommendations Regarding Grant of Competitive Cable Franchises" and "Notice of Intent to Franchise".

RESOLUTIONS (See Rep):

COUNCIL MEMBER THURBER (265880)

Public Library Internet Policy: St Paul, Minnesota's policy.

FILED:

CITY CLERK/SPECIAL PERMITS (265881)

11th Ave S, 2323 (Kahe Sewell) ponies;

Franklin Ave E between Cedar & Chicago Aves S (Shirlee Stone) tents;

Johnson St NE, 2800 block (Johnson Street Shopping Center Assn) sidewalk sale & entertainment;

Peavey Plaza (Mpls Downtown Council) jazz music, food & beverages;

Vineland Pl (Walker Art Center) concert w/live bands, food, beer & wine.

COUNCIL MEMBER GOODMAN (265882)

City/County Task Force on Homelessness: Star Tribune Commentary.

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration the Fiscal Year 2000 HOME Investments Partnership Program (HOME) entitlement of \$3,654,000 as part of the Fiscal Year 2000 Consolidated Plan submitted to the Department of Housing and Urban Development (HUD), and allocation of said entitlement by the Minneapolis Community Development Agency (MCDA), now recommends -

a) Approval of the 2000 HOME Program budget allocation of \$810,000 for the Single Family Ownership Program; \$2,478,600 for the Multi-Family Rental Program; \$350,400 for MCDA administrative costs; and \$15,000 for City of Minneapolis administrative costs;

b) That the City of Minneapolis be authorized to retain \$15,000 for associated administrative costs;

c) That the proper City/MCDA officers be authorized to execute the Ninth Amendment to Contract #8179 between the City of Minneapolis and MCDA to expend HUD HOME Program funds and to implement the HUD HOME Program.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration the City/County Task Force on Homelessness, which was created to analyze the causes of and potential solutions to homelessness for single adults and unaccompanied youth; gather information on local and national models of service delivery; meet with organizations in the public and private sectors to explore the idea of a metropolitan-wide partnership to respond to homelessness; and to prepare short- and long-term recommendations to achieve positive outcomes, and having received their report and recommendations as set forth in Petn No 265841, now recommends passage of the accompanying resolution adopting the recommendations of the City/County Homeless Task Force.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-192

**By Niland, Goodman, Biernat, Campbell, Cherryhomes,
Colvin Roy, Herron, McDonald, Mead, Ostrow and Thurber**

Adopting the recommendations of the City/County Homeless Task Force.

Whereas, the City of Minneapolis and Hennepin County reconstituted and reconvened the City/County Homeless Task Force on homelessness for families, single-adults and youth; and

Whereas, the City/County Homeless Task Force focused its initial work on the conditions of homeless single-adults and unaccompanied youth; and

Whereas, the City of Minneapolis and Hennepin County directed the City/County Homeless Task Force to analyze the cause of and potential solutions to homelessness for single-adults and unaccompanied youth who are currently staying in shelters, safe-waiting or on the street, and develop short and long-term strategies to achieve positive outcomes, including a continuum of housing options leading to greater levels of self-sufficiency; and

Whereas, the City/County Homeless Task Force has conducted a thorough analysis of the existing conditions, opportunities and barriers for homeless single-adults and unaccompanied youth; and

Whereas, the City/County Homeless Task Force concluded that the major problem underlying shelter use is the lack of affordable permanent and supportive housing; and

Whereas, the City/County Homeless Task Force found that the metropolitan region is experiencing a severe shortage of affordable housing which is exacerbating homelessness in our community; and

Whereas, the City/County Homeless Task Force found that there is a need for a metropolitan-wide response to issues of homelessness; and

Whereas, a significant number of homeless adults are working and add to the economic vitality of our community; and

Whereas, the City/County Homeless Task Force concluded that there is no safety net for unaccompanied youth who are not part of the child protection system; and

Whereas, the City/County Homeless Task Force determined that emergency shelter and transitional housing resources for homeless adolescent and young adults are insufficient to meet the need; and

Whereas, the City/County Homeless Task Force identified a need for better coordination existing resources to address homelessness for single-adults and unaccompanied youth;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis adopt the recommendations of the City/County Homeless Task Force.

Be It Further Resolved that the City of Minneapolis endorses the creation of a Metropolitan Community Shelter Board.

Be It Further Resolved that the City of Minneapolis endorses the creation of a Hennepin County Shelter Advisory Board in cooperation with Hennepin County.

Be It Further Resolved that the City of Minneapolis, working in conjunction with the Hennepin County Board of Commissioners, prepare an implementation plan for the creation of a proposed Hennepin County Shelter Advisory Board.

Be It Further Resolved that the City of Minneapolis and Hennepin County will appoint a second City/County Homeless Task Force to develop recommendations on homeless families.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the matter of issuing revenue bonds to finance 1) renovation of the Mann Theatre, originally known as the Pantages Theatre, at 700-10 Hennepin Ave, into a 800-900 seat theatre, to be owned by the Minneapolis Community

Development Agency (MCDA) and managed by the Historic Theatre Group; 2) renovation of the surrounding commercial space in the Stimson Building that wraps around the Mann Theatre; and 3) improvements to the Orpheum and State Theatres, and having conducted a public hearing thereon, and further having under consideration -

a) Passage of the accompanying resolution giving preliminary approval to the issuance of up to \$18 million in Tax-exempt MCDA, Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2000, with approximately \$10.5 million allocated for the renovation of the Mann Theatre and improvements to the Orpheum and State Theatres, and approximately \$7.5 million allocated for the refunding of the existing Orpheum Theatre bonds, and up to \$4 million in Taxable MCDA, Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2000, for the renovation of the Stimson Building, to be issued through the Minneapolis Common Bond Fund and designating the Bonds as bonds entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance, as set forth in Petn No 265844;

b) Pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by said Ordinance No 87-Or-084;

c) Summary publication of the above-described resolution;

d) That this action be transmitted to the Board of Commissioners of the MCDA; now recommends **Comm Dev** - approval.

W&M/Budget - that the matter be sent forward without recommendation.

Niland moved to amend the report by deleting the Ways & Means/Budget Committee recommendation and approving the Community Development Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 8; Nays, 3 as follows:

Yeas - Herron, Thurber, Campbell, Niland, Goodman, McDonald, Mead, Cherryhomes.

Nays - Lane, Ostrow, Colvin Roy.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-193, giving preliminary approval to the issuance of up to \$18 million in bonds of the Minneapolis Community Development Agency with respect to the renovation of the Mann (Pantages) Theatre and the Stimson Building and improvements to the Orpheum and State Theatres was passed May 5, 2000 by the City Council and approved May 10, 2000 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2000R-193
By Niland and Campbell

Giving preliminary approval to the issuance of bonds of the Minneapolis Community Development Agency with respect to the Mann (Pantages), Orpheum and State Theatres and the Stimson Building.

Whereas, the City Council, by Ordinance No. 81-Or-017, as amended by Ordinance No. 82-Or-076, reorganized and renamed the Housing and Redevelopment Authority in and for the City of Minneapolis as the Minneapolis Community Development Agency (the "Former Agency"), and granted additional powers and duties pursuant to Minnesota Laws of 1980, Chapter 595; and

Whereas, the City Council, by Ordinance No. 86-Or-035, renamed the Former Agency as the Minneapolis Public Housing Authority in and for the City of Minneapolis and created a new public corporation named the Minneapolis Community Development Agency (the "Agency") to which it granted

the development powers of the Former Agency and to which it extended the development obligations of the Former Agency; and

Whereas, pursuant to Minnesota Laws of 1980, Chapter 595, Ordinance No. 81-Or-017, as amended, and Ordinance No. 86-Or-035, as amended, of the City Council and Minnesota Statutes, Sections 469.001 through 469.047 (collectively, the "Act"), the Agency is authorized to issue bonds for its corporate purposes; and

Whereas, by Resolution No. 92-815M, adopted by the Agency on April 24, 1992, as amended, the Agency established a certain common bond fund and provided for the issuance from time to time by the Agency of bonds to be secured thereby ("Common Fund Bonds"); and

Whereas, pursuant to Ordinance No. 86-Or-035, as amended by the Minneapolis City Council on June 27, 1986, the Agency has authority to issue Common Fund Bonds; and

Whereas, the Agency has proposed to undertake a project that consists of the renovation and equipping of certain property owned by the Agency known as the Mann (Pantages) Theatre, and the acquisition of certain real property in connection therewith, located on the southwest corner of the intersection of Hennepin Avenue and North Seventh Street in the City. The proposed project will also include the advance refunding of bonds previously issued by the Agency for the expansion, renovation and equipping of the Orpheum Theatre located at 910 Hennepin Avenue in the City, and for certain renovations to the Orpheum Theatre and to the State Theatre located at 805 Hennepin Avenue in the City. The proposed project will also include the renovation of the Stimson Building currently owned by the Agency (but expected to be sold to The Historic Theatre Group, Ltd., or an affiliate) and located on the southwest corner of the intersection of Hennepin Avenue and North Seventh Street in the City. The foregoing activities are hereinafter referred to collectively as the "Project"; and

Whereas, the Agency has proposed to issue its Common Fund Bonds under the Act, in the approximate amount of \$22,000,000 (the "Bonds"), with approximately \$18,000,000 of the Bonds to be issued on a tax-exempt basis with respect to the three theatres, and approximately \$4,000,000 of the bonds to be issued on a taxable basis with respect to the Stimson Building; and

Whereas, the City Council has been advised that a public hearing on the proposal to finance the theatres has been conducted by the Community Development Committee of the City Council on behalf of the Agency, preceded by notice thereof, and at such public hearing all parties were given an opportunity to express their views with respect to the proposed financing of the theatres;

Whereas, the City Council has been further advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City of Minneapolis at least fourteen (14) days prior to consideration hereof; and

Whereas, the Agency, by resolution adopted or to be adopted on the date hereof, has or will give preliminary approval to the Project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary approval to the Project and the issuance by the Agency of its Bonds pursuant to the Act for the purpose of financing the Project in the aggregate sum of \$22,000,000 or such other amount approved by the Agency not exceeding such sum by more than ten percent (10%).

Be It Further Resolved that this approval by Ordinance No. 86-Or-035, as amended, of the City Council is hereby given as required.

Adopted. Yeas, 8; Nays, 3 as follows:

Yeas - Herron, Thurber, Campbell, Niland, Goodman, McDonald, Mead, Cherryhomes.

Nays - Lane, Ostrow, Colvin Roy.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the application to the U.S. Department of Housing and Urban Development for Round VIII Lead Based Paint Hazard Control funds (approved by the City Council on 4/7/00), now recommends passage of the accompanying resolution reserving \$300,000 from Community Development Block Grant programs (Lead Abatement

and Loan & Grant Programs) for the City of Minneapolis' matching cash contribution required for the Lead Based Paint Hazard Control grant, as more fully described in Petn No 265844.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-194

By Niland and Campbell

Committing \$200,000 of Lead Abatement and \$100,000 from Loan and Grant Funds in Year 2000 Community Development Block Grant (CDBG) funds for the City of Minneapolis' matching cash contribution required for the Lead Based Paint Hazard Control Grant.

Whereas, the City of Minneapolis Lead Hazard Control Section of the Department of Licensing and Consumer Affairs in partnership with the Minneapolis Community Development Agency (MCDA) is applying to the U.S. Department of Housing and Urban Development (HUD) for a Lead Based Paint Hazard Control Grant; and

Whereas, the Lead Based Paint Hazard Control Grant would be used to provide for lead hazard control and educational activities for improving the rental and ownership housing stock within the City of Minneapolis; and

Whereas, in order to comply with HUD's regulations for the Lead Based Paint Hazard Control Grant, the City of Minneapolis must make a matching cash contribution to the programs funded by the grant in the amount of \$300,000;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That \$200,000 of Lead Abatement and \$100,000 from Loan and Grants Funds in Year 2000 CDBG funds for the City of Minneapolis' cash matching contribution if the City of Minneapolis is awarded a Lead Based Paint Hazard Control Grant and the City of Minneapolis enters into a grant agreement with HUD.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the status report on the updated Historic Mills District Master Plan set forth in Petn No 265844, now recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund SMN0 (MCDA State Grants & Loans) by \$40,000 and increasing the revenue estimate for Fund SMN0 by \$40,000 to reflect receipt of a grant from the St. Anthony Falls Heritage Board provided to address various parking, circulation and planning/design questions relating to the West Side Milling District.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-195
By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN0 - MCDA State Grants & Loans by \$40,000, and increasing the Fund SMN0 revenue estimate (#3215-14 Other Grant Revenues) by \$40,000.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee recommends concurrence with the recommendation of the Mayor to appoint the following persons to serve on the Minneapolis Advisory Committee on People with Disabilities for two-year terms to expire December 31, 2001:

a. Steve Piekarski, 1786 Hennepin Av (Ward 7);

b. Nicole Roberts, 5444 44th Av S (Ward 12).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration Community Development Block Grant (CDBG) Year XXVI funded activities, now recommends that the proper City Officers be authorized to amend contracts or issue Fund Availability Notices (FANs) with the following nine agencies:

a. Execute Amendment #6 to Agreement #8886 with the Legal Aid Society of Minneapolis, Inc., in the amount of \$49,500, to provide free legal representation and advice on civil matters to low income residents for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8605);

b. Execute Amendment #2 to Agreement #12867 with the Minnesota AIDS Project, in the amount of \$41,000, to provide community outreach and education services to prevent the transmission of HIV for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8623);

c. Execute Amendment #7 to Agreement #8870 with Minnesota Age and Opportunity Inc, in the amount of \$137,000, to provide community services to assist low income senior citizens remaining in their homes for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8605);

d. Execute Amendment #1 to Agreement #14162 with the Southeast Seniors Living at Home Block Nurse Program, in the amount of \$25,000, to provide services to assist Southeast seniors in remaining in their homes for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8623);

e. Issue FAN #X7-1, under Master Contract #10020, to Parents in Community Action/Head Start, in the amount of \$113,000, to provide services to children and families for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8605);

f. Issue FAN #X7-1, under Master Contract #10017, to the Greater Minneapolis Day Care Association, in the amount of \$552,000, to provide sliding fee subsidies to eligible families for the period June 1, 2000 through May 31, 2002, payable from Health & Family Support (040-860-8605);

g. Issue FAN #X7-2, under Master Contract #10017, to the Greater Minneapolis Day Care Association, in the amount of \$408,620, for the Loan/Renovation Program for the period June 1, 2000 through May 31, 2002, payable from Health & Family Support (040-860-8605);

h. Issue FAN#X7-1, under Master Contract #14153, to the Harriet Tubman Center, Inc, in the amount of \$71,220, for domestic abuse services for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8605);

i. Issue FAN#Y4-1, under Master Contract #10023, to the Youth Coordinating Board, in the amount of \$423,635, for the Way to Grow Program for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8623);

j. Issue FAN#X7-1, under Master Contract #10001, to the Minneapolis Urban League, in the amount of \$119,000, for the Curfew Truancy Center for the period June 1, 2000 through May 31, 2002, payable from Health & Family Support (040-860-8605).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the City's initiative to develop training programs in industry clusters, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #D9-1, under Master Contract #10021, to American Indian OIC, in the amount of \$50,000, for a Printing Cluster Training Program for the period June 1, 2000 through May 31, 2001, payable from Health & Family Support (040-860-8600).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Business Partners Program, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) to the Youth Trust for the use of two half-time staff members to manage the program as part of the 2000 Summer Youth Program:

a. FAN #E9-1, under Master Contract #14748, in the amount of \$20,000, payable from Health & Family Support (040-860-8600);

b. FAN #E6-1, under Master Contract #14748, in the amount of \$20,000, payable from Health & Family Support (030-860-8600);

c. FAN #B9-1, under Master Contract #14748, in the amount of \$10,000, payable from Health & Family Support (060-860-8600).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished June 10, 2000)

H&HS - Your Committee, having under consideration the provision of bike transportation in eligible Minneapolis neighborhoods, now recommends that the proper City Officers be authorized to execute Amendment #1 to Contract #14394 with the Yellow Bike Coalition to extend the performance period to August 31, 2000 to utilize the amount of available funds, payable from Health & Family Support (040-860-8600).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **PUBLIC SAFETY & REGULATORY SERVICES** Committees submitted the following report:

H&HS & PS&RS - Your Committee, having under consideration the inspection of grocery stores in the City of Minneapolis, now recommends that the proper City Officers be authorized to execute a Pilot Grocery Store Inspection Delegation Agreement with the Minnesota Department of Agriculture to allow City staff to coordinate and conduct all field inspections and activities, with Department of Agriculture staff responsible for program oversight and direction. (Petr No 265849)

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

H&HS & W&M/Budget - Your Committee recommends that Donna Amidon, Manager, School Health Services, be granted the third Step rate of pay retroactive to November 10, 1999.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the application of Borealis Caffé Inc, dba Borealis Caffé, 418 13th Av SE, for an On-Sale Wine Class C-1 with Strong Beer License (new business effective April 1, 2000) to expire April 1, 2001, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 5, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 9, 2000)

PS&RS - Your Committee, having under consideration the application of Eva Z Sorbian, dba Europol Eva's Delicatessen, 359 13th Av NE for a Grocery License (specialty store/new business) to expire April 1, 2001, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances, along with the following conditions:

a. that all Zoning Department site plan requirements be met within the time limits outlined by the Department;

b. that a Food Manufacturer License be applied for prior to opening a deli at said location;

c. that an approved Environmental Health Plan be obtained for all food areas;

d. that a passing final Environmental Health Department Inspection be conducted at said location.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire July 1, 2001

Marker's Liquor Store Inc, dba Marker's Liquor Store, 1538 Nicollet Av;

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2001

Banana Joe's of Minnesota Inc, dba Banana Joe's, 15 S 5th St;

On-Sale Liquor Class A with Sunday Sales, to expire April 27, 2000

International Catering Inc, dba Atrium Cafe and/or Atrium Catering, 275 Market St (temporary expansion of premises, April 27, 2000, 5:00 p.m. to 12:00 a.m., Best Buy);

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2001

D'Amico Cucina Inc, dba D'Amico Cucina, 100 N 6th St;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2001

Manny's Steak House Inc, dba Manny's Steak House, 1300 Nicollet Mall (regular expansion of premises);

Sawatdee Inc, dba Sawatdee Restaurant, 607 Washington Av S;

Manny's Steak House Inc, dba Manny's, 1300 Nicollet Mall, Hyatt Regency;

Rainbow Chinese Restaurant Inc, dba Rainbow Chinese Restaurant, 2739 Nicollet Av;

Win-Vee Inc, dba Country Bar & Grill, 3006 Lyndale Av S;

Temporary On-Sale Liquor

Association of Zinfandel Advocates & Producers, 1301 2nd Av S (April 24, 2000, 3:30 to 5:30 p.m. and 6:00 to 8:00 p.m. at Convention Center; Licensed facilitator: Kelber Catering);

DeLaSalle High School, One DeLaSalle Dr (May 6, 2000 with temporary entertainment, 6:00 to 11:00 p.m.; Licensed facilitator: Cuzzy's Inc);

Lake Superior Water Trail Association of Minnesota, 309 Cedar Av (April 28, 2000, 4:00 to 10:00 p.m. and April 29, 2000, 9:00 a.m. to 6:00 p.m.; Licensed facilitator: Famous Daves Ribs Inc);

On-Sale Wine Class A with Strong Beer, to expire April 1, 2001

Minnesota S T A R Inc, dba Cedar Cultural Centre, 416 Cedar Av;

On-Sale Wine Class C-1 with Strong Beer, to expire April 1, 2001

Marissa's Incorporated, dba El Mariachi, 2750 Nicollet Av (upgrade from On-Sale Wine Class E with Strong Beer);

On-Sale Wine Class E with Strong Beer, to expire April 1, 2001

Russell-Harris Enterprises Inc, dba Annies Parlour, 313 14th Av SE;

Modern Cafe Inc, dba Modern Cafe, 337 13th Av NE;

D'Amico & Sons Inc, dba D'Amico & Sons Nicollet, 555 Nicollet Mall;

Off-Sale Beer, to expire April 1, 2001

Barghouthi Corporation, dba Ventura Village Food Market, 814 E Franklin Av (new business);

Kwik Mart Inc, dba Kwik Mart Inc, 3652 Cedar Av (new proprietor);

Henning Richard A, dba R & J's Market, 801 4th St SE;

Easyway Food Inc, dba Easyway Foods, 2820 Johnson St NE;

Wadi Rami A, dba Best Food Market, 3756 Nicollet Av;

Hark's Company Inc, dba Pump & Munch, 4401 Nicollet Av;

Pham Michael C, dba Duc Loi Super Market, 2515 Nicollet Av, 1st floor;

Dire Dawa Corporation, dba Uptown Grocery & Deli, 3350 Lyndale Av S

On-Sale Beer Class E, to expire April 1, 2001

Chatterbox Enterprises Inc, dba Chatterbox Pub, 2229 E 35th St (change in ownership from Tyrone Sharpe, dba Chatterbox);

Lam Daniel & Lam Cuong Hung, dba Shuang Cheng Restaurant, 1320 4th St SE;

Temporary On-Sale Beer

Minneapolis Mounted Patrol, 81 S 9th St (Timberwolves Pre-game Playoff Party May 11, 12 or 13, 2000, 4:00 to 8:00 p.m. on Block E in Downtown Minneapolis);

Church of St Hedwig, 129 29th Av NE (Church Fundraiser June 4, 2000, noon to 6:00 p.m.);

St Boniface Church, 629 2nd St NE (Parish Festival June 25, 2000, 11:00 a.m. to 4:30 p.m.).

Adopted. Yeas, 10; Nays none.

Declining to Vote - Niland.

Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of May 5, 2000, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 265852):

Building Contractor Class B; Cement Finishing Contractor; Concrete Masonry Contractor Class A; Concrete Masonry Contractor Class B; Dance Hall; Drywall Contractor; Place of Entertainment; Flower Cart Vendor; All Night Special Food; Caterers; Confectionery; Food Distributor; Grocery; Ice Peddler; Ice Producer - Wholesale Dealer; Indoor Food Cart; Kiosk Food Cart Vendor; Food Manufacturer; Meat Market; Milk & Grocery Delivery Vehicle; Drive In Food; Restaurant; Food Shelf; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Wholesale Sausage Manufacturer & Distributor; Heating, Air Conditioning & Ventilating Class A; Lodging House; Lodging House with Boarding; Towing Class B; Commercial Parking Lot Class A; Pool Table; Solid Waste Hauler; Suntanning Facility; Swimming Pool - Public; Tattooing; Taxicab - Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Tobacco Dealer; Combined Trades; Tree Servicing; Valet Parking; and Wrecker of Buildings Class B.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

Goldbrick Club, 1811 University Av NE (Raffle June 11, 2000 at Minneapolis Police Federation Hall, 1811 University Av NE);

American Swedish Institute, 2600 Park Av (Raffle June 17, 2000);
St Boniface Church, 629 2nd St NE (Bingo, raffle, paddlewheels & pulltabs June 25, 2000).

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Food Manufacturer License held by Abdullahi Warsame, dba Taste of Wings, 1831 Nicollet Av S, and having received Findings of Fact, Conclusions and Recommendations after the licensee agreed to forgo a Technical Advisory Committee (TAC) hearing thereon for failure to comply with Health Code violations, and has stipulated that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

- a. that the licensee agrees to correct Health Department orders as set forth in said Findings by April 14 and April 30, 2000;
- b. in lieu of a 60 day license suspension for failing to comply with Health Department orders, the licensee agrees to pay an administrative fine of \$100 per violation for any order not completed by the due dates;
- c. that any future violations not corrected by the due date issued by the Health Department may result in further action against said Food Manufacturer's License.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Lodging with Boarding House License held by Northwestern Chi Psi Educational Foundation Inc, 1515 University Av SE, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing as a result of Chi Psi fraternity members supplying alcohol to underage individuals at a party, for violations of the City's Noise Ordinance, and for failure to cooperate with Police in disbursing a large party, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that no undergraduate sponsored parties will be allowed at 1515 University Av SE until September 1, 2000; Homecoming and other alumni sponsored events will be allowed, subject to stipulations as set forth in said Findings;

b. after one year, any party held at 1515 University Av SE will be reported to the Second Precinct;

c. in lieu of a one-month license suspension, Chi Psi Fraternity will be assessed an administrative fine in the amount of \$4,000, with \$2,000 being stayed for a period of one year pending no same or similar incidents;

d. Chi Psi Fraternity agrees to remove Fraternity President Ed Anderson and Treasurer Dave Gustafson as fraternity leaders, within one month of the signing of said TAC agreement;

e. Fraternity members agree to meet with the Community Crime Prevention/SAFE Officer to become informed as to procedures and the gravity of the situation requiring the changes within Chi Psi;

f. Chi Psi agrees to follow the Chi Psi Risk Management Policy and the Alcohol and Risk Management Policy of the Interfraternity Council at the University of Minnesota. Every member of Chi Psi will be required to sign an agreement holding the member to these policies and standards.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Lodging License held by ABCDE Limited Partnership, Zeta Psi Fraternity, 1829 University Av SE, and having received Findings of Fact, Conclusions and Recommendations after the licensee agreed to forgo a Technical Advisory Committee (TAC) hearing thereon for failure to maintain the fraternity house in compliance with all Health and Lodging Codes, and has stipulated that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee agrees to correct code violations in accordance with the timetable as set forth in said Findings by March 20, 2000;

b. that by April 7, 2000, the fire alarm and fire doors shall be installed;

c. that by May 31, 2000, carpets shall be cleaned, replaced or removed and walls shall be cleaned;

d. that by September 1, 2000, the roof and roof hatch shall be evaluated for repair, and a report on the roof conditions shall be sent to Licenses & Consumer Services; a date will be set to repair any deficiencies when the report is submitted;

e. an administrative fine in the amount of \$250 shall be due for failure to repair any of the stated code violations by the due date;

f. that the licensee shall make efforts to prevent future reoccurrence of code violations by limiting the size of social events.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends that the proper City Officers be authorized to execute an agreement with the Minnesota Department of Transportation (MnDOT) to utilize property owned by MnDOT for training by the Police Department's Emergency Response Unit prior to demolition of the property.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 5, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 9, 2000)

PS&RS - Your Committee, having under consideration the property located at 417 Lowry Av N which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City officers be authorized to raze said property legally described as the East 33 feet of Lots 11 and 12, Block 7 of Morrison's Addition to North Minneapolis (PID #10-029-24-32-0043), as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Liu Chao for the property located at 3119 4th St N, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on March 14, 2000, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked as a result of conduct on the licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

PS&RS & W&M/Budget - Your Committee, having under consideration the Police Department's Community Service Officer (CSO) Program, and having received a grant award in January 2000 from the General Mills Foundation in the amount of \$10,000 to be used to assist minority students with educational and financial support and on-the-job training experience for participants to become certified by the Police Officer Standards and Training (POST) Board, now recommends that the proper City Officers be authorized to execute individual contracts with CSO Intern recipients, in an amount not to exceed \$3,000, to provide said training and support to further diversify the Police Department.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee, having under consideration the 2000 Street Reconstruction and Renovation Program (Harrison St NE from Hennepin Av E to 3rd Av NE), now recommends passage of the accompanying Resolution designating the location and streets to be improved in said project, Special Improvement of Existing Street No. 6599.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-196

By Mead

**Harrison St NE Street Reconstruction Project
Special Improvement of Existing Street No. 6599**

Designating the improvement of certain existing streets at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Harrison St NE from Hennepin Av E to 3rd Av NE.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having received a cost estimate of \$615,000 for street reconstruction improvements and a list of benefited properties for the Harrison St NE Street Reconstruction Project, Special Improvement of Existing Street No. 6599, as designated by Resolution 2000R-196 passed, May 5, 2000, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2000 Uniform Assessment Rates as per Resolution 2000R-043 passed February 4, 2000.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on June 1, 2000 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated reconstruction and renovation locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on June 1, 2000 in accordance with Section 95.90 of the Minneapolis Code of Ordinances, to consider the abandonment and removal of areaways in conflict with the street reconstruction projects.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Nicollet Av Street Reconstruction Project (40th to 46th Sts), now recommends passage of the accompanying Resolution designating the location and streets to be improved in said project, Special Improvement of Existing Street No 6605.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-197

By Mead

**Nicollet Avenue Street Reconstruction Project
Special Improvement of Existing Street No 6605**

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Nicollet Av from 40th St to 46th St.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having received a cost estimate of \$1,550,000 for street reconstruction improvements and a list of benefited properties for the Nicollet Av Street Reconstruction Project, Special Improvement of Existing Street No 6605, as designated by Resolution 2000R-197 passed May 5, 2000, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2000 Uniform Assessment Rates as per Resolution 2000R-043 passed February 4, 2000.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on June 1, 2000, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Nicollet Av Street Lighting Project (40th to 46th Sts), now recommends passage of the accompanying Resolution designating the location and improvements in said project, Special Improvement of Existing Street No 6605.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-198

By Mead

**Nicollet Avenue Street Lighting Project
Special Improvement of Existing Street No 6605**

Designating the improvement of certain streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by installing street lights, together with all the necessary appurtenances and work related to the hereinafter described improvements:

Nicollet Av from 40th St to 46th St (both sides);
40th St – 100 ft W and 110 ft E of the right-of-way lines of Nicollet Av;
42nd St – 110 ft E of the right-of-way line of Nicollet Av;
43rd St – 90 ft W and 90 ft E of the right-of-way lines of Nicollet Av;
44th St – 90 ft W and 100 ft E of the right-of-way lines of Nicollet Av;
45th St – 90 ft W and 90 ft E of the right-of-way lines of Nicollet Av;
46th St – 100 ft W and 110 ft E of the right-of-way lines of Nicollet Av.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District No 1263 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated generally as Nicollet Av from 40th St to 46th St and wrapping around onto most cross streets in the Nicollet Av Project, (streets to receive lighting are as designated in the Golden Valley Rd Street Lighting Project, Special Improvement of Existing Street No 6605).

The annual operation and maintenance cost to be assessed to non-governmental exempt properties will be based on a total yearly cost of \$4,354.20 divided by the total lineal footage within the project boundaries to equal a cost per lineal foot. Your Committee recommends that if there should be an increase in the cost of street lighting in the future, that the increased cost be reflected in the assessment.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on June 1, 2000, in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to consider the establishment of said proposed Street Lighting District No 1263.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration a request from the Friends of Mama D organization for permission and assistance from the City to establish an art gallery within a walkway area in the Hennepin at 10th St Municipal Ramp (Petr No 265857), now recommends that said request for the permanent and free use of The Link area within said parking facility be denied.

Your Committee further recommends that staff be directed to pursue other locations with in the Municipal Parking System that could be made available at regular rental rates.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City officers be authorized to increase the City's contract for microtunneling services by \$110,000 and increase the primary purchase agreement (#PC82500008908) by \$468,819, to be used to pay for microtunneling services related to flood mitigation projects. The increases are payable from funds available in the Sewer Rental Fund (7300).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having received an application for deferment of a sidewalk repair assessment in the amount of \$736.70 submitted by Frances Witherspoon, 1344 Oliver Av N, PID 16-029-24-33-0082, now recommends that said application be approved as provided for in Minnesota Statutes, Sections 435.193 to 435.195 and Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 5, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published May 9, 2000)

T&PW - Your Committee recommends concurrence with the Mayor's recommendation to appointment Council Member Joan Campbell as the City's representative on the Central Corridor Coordinating Committee.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee, having under consideration the East Isles Area Street Lighting Project, Special Improvement of Existing Street #2211, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the East Isles Area Street Lighting Project;

b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$799,500 for the project; and

c) Appropriating \$1,054,500 to the PW - Transportation Capital Agency to be reimbursed by special assessments (\$799,500) and Neighborhood Revitalization Program (NRP) (\$255,000).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-199

By Mead and Campbell

**East Isles Area Street Lighting Project
Special Improvement of Existing Street #2211**

Ordering the work to proceed and adopting the special assessment for the East Isles Area Street Lighting Project.

Whereas, a public hearing was held on April 27, 2000 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2000R-107 passed March 24, 2000 to consider the proposed special assessments as on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2000R-107 passed March 24, 2000.

Be It Further Resolved that the proposed special assessments as on file in the Office of the City Clerk be \$799,500 and are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2001 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments on the 2001 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-200

By Mead and Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$799,500 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street lighting improvements in the East Isles Area Street Lighting Project, Special Improvement of Existing Street #2211, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-201

By Mead and Campbell

Amending The 2000 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9432) by \$1,054,500 for the East Isles Area Street Lighting Project and increasing the revenue source by \$255,000 (4100-943-9432 - Source 3845) for the NRP reimbursement and by \$799,500 (4100-943-9432 - Source 3880) to be reimbursed by assessment bonds.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee reports that in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to street lighting districts, a public hearing was held on April 27, 2000 to consider the establishment of Street Lighting District #1259 and to consider all written and oral objections and statements regarding the matter.

Your Committee now recommends that Street Lighting District #1259 (streets to receive lighting are designated in the East Isles Area Street Lighting Project, Special Improvement of Existing Street #2211) as delineated in a report of the Transportation and Public Works Committee passed by the City Council on March 24, 2000 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District #1259 not be considered for final approval until at least two weeks from now in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Hennepin Av Street Renovation Project (Franklin Av W to Lake St W), Special Improvement of Existing Street #6690, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the Hennepin Av Street Renovation Project;

b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$289,000 for the project.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-202

By Mead and Campbell

**Hennepin Avenue Street Renovation Project
Special Improvement of Existing Street No 6690**

Ordering the work to proceed and adopting the special assessments for the Hennepin Av Street Renovation Project.

Whereas, a public hearing was held on April 27, 2000 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2000R-108 passed March 24, 2000, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2000R-108 passed March 24, 2000.

Be It Further Resolved that the proposed special assessments for the residential portion of the street renovation project be recalculated at the renovation other rate of \$0.148 and the proposed special assessments in the revised total amount of \$288,692.82 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at ten (10) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2001 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2001 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-203
By Mead and Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$289,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Hennepin Av Street Renovation Project, Special Improvement of Existing Street No 6690, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying Resolution ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the paving and streetscape projects in the Hennepin Av area.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-204

By Mead and Campbell

Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street renovation and street lighting projects in the Hennepin Av area.

Whereas, the City of Minneapolis has scheduled the renovation and street lighting improvements during 2000 in the Hennepin Av area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said renovation and street lighting installation; and

Whereas, a public hearing was held on April 27, 2000 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now Therefore, Be It Resolved by the City Council of the City of Minneapolis;

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along Hennepin Av (both sides) from North of Franklin Av W to Lake St.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, to whom was referred an Ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks*, adding Chapter 454 relating to the South Hennepin Avenue Special Service District, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that said ordinance be summarized for publication.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-028 amending Title 17 of the Minneapolis Code of Ordinances by adding a new Chapter 454 relating to *Street and Sidewalks*, adding the South Hennepin Avenue Special Service District, was passed May 5, 2000 by the City Council and approved May 10, 2000 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2000-Or-028

By Mead

Intro & 1st Reading: 1/21/2000

Ref to: T&PW

2nd Reading: 5/5/2000

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, by adding a new Chapter 454 relating to South Hennepin Avenue Special Service District.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 454 to read as follows:

CHAPTER 454. SOUTH HENNEPIN AVENUE SPECIAL SERVICE DISTRICT

454.10. Establishment. Pursuant to the authority granted by the legislature in Laws of Minnesota, 1985, Chapter 302 as amended in Laws of Minnesota, 1993, Chapter 375 and in Laws of Minnesota, 1995, Chapter 264, there is hereby established a special service district (otherwise referred to herein as the "district") wherein the city may provide, or contract for public services to be provided, of a kind or to a degree not required or performed elsewhere in the city. Said special service district shall consist of the following area, except that portion consisting of those zoning districts in which business, commercial and industrial uses are not permitted under the Minneapolis Zoning Code:

That part of Minneapolis bounded on the North by the North line of Lots 6 and 14, Block 32, Groveland Addition to Minneapolis and its extensions 206 feet West of the West right-of-way line of Hennepin Avenue and 44 feet East of the West right-of-way line of Hennepin Avenue, and the centerline of Franklin Avenue West, extended 200 feet east from the centerline of Hennepin Avenue; bounded on the East by a line 44 feet east of the west right-of-way line of Hennepin Avenue from the Easterly extension of the North line of Lot 6, Block 32, Groveland Addition to Minneapolis to the centerline of Franklin Avenue W and a line 200 feet East of the centerline of Hennepin Avenue from the centerline of Franklin Avenue W to the centerline of 28th Street West; bounded on the south by the centerline of 28th Street West extended 200 feet east from the centerline of Hennepin Avenue and extended West 250 feet from the centerline of Hennepin Avenue; bounded on the West by a line 250 feet West from the centerline of Hennepin Avenue, from the centerline of 28th Street West, to the centerline of Franklin Avenue West, and 206 feet West from the West right-of-way line of Hennepin Avenue from the centerline of Franklin Avenue West to the North lot line of Lot 14, Block 32, Groveland Addition to Minneapolis.

454.20. Services to be performed. Within the special service district, the city may perform or contract for the performance of any of the following services to the extent that such services are not ordinarily provided throughout the city from ordinary revenues of the city:

- (a) Snow and ice removal and sanding of public areas.
- (b) Cleaning and scrubbing of sidewalks; cleaning of curbs, gutters, alleys, and streets.
- (c) Provision installation, maintenance, removal, and replacement of banners and other decorative items for promotion of the commercial area of the district.
- (d) Poster and handbill removal.
- (e) Repair and maintenance of sidewalks.
- (f) Installation and maintenance of area-wide security systems.
- (g) Provision and coordination of security personnel to supplement regular city personnel.
- (h) Maintenance, repair, and cleaning of commercial area directories, kiosks, benches, bus shelters, newspaper stands, trash receptacles, information booths, bicycle racks and bicycle storage containers, sculptures, murals, and other public area art pieces.
- (i) Installation, maintenance, and removal of lighting on commercial area trees.
- (j) Cost of electrical service for pedestrian and tree lighting.
- (k) Repair of low-level pedestrian lights and poles.
- (l) Provision of comprehensive liability insurance for public space improvements.
- (m) Trash removal and recycling costs.
- (n) Provision, maintenance, and replacement of special signage relating to vehicle and bicycle parking, vehicle and pedestrian movement, and special events.
- (o) Watering, fertilizing, maintenance and replacement of trees and bushes on public right-of-way.

454.30. Service charge. The city council hereby finds and determines that the annual costs of providing the services specified in section 454.20 hereof will provide benefits primarily to properties located within the district, rather than to the city as a whole, and that the costs of said services may

be recovered by the city by the imposition of service charges to be assessed against properties located within the district pursuant to Laws of Minnesota, 1969, Chapter 499.

454.40. Imposition of service charge; levy. The service charges shall be levied annually prior to November thirtieth, upon properties within the district, in an aggregate sum, which, combined with any property tax levied under section 454.60 hereof, will equal the estimated total costs of the city in providing the services referred to in section 454.20 for the next ensuing calendar year; provided, however, that service charges may be levied in the year 2000 for services rendered or to be rendered during the calendar years 2000 and 2001. Prior to imposing the service charges, a public hearing shall be held with respect thereto at which all interested persons may appear and be heard. Notice of the public hearing shall be given in two (2) separate publications of the city's official newspaper one week apart and the public hearing shall not be held less than three (3) days after the later publication. Not less than ten (10) days prior to the hearing, notice shall be mailed to the owner of each parcel of real estate within the district. For the purpose of giving such mailed notice, owners shall be those shown on the records of the county auditor. For properties which are tax exempt or subject to taxation on a gross earnings basis in lieu of property tax and are not listed on the records of the county auditor, the owners shall be ascertained by any practical means, and mailed notice given them.

The notice of public hearing shall include:

(a) A statement that all interested persons will be given an opportunity to be heard at the hearing regarding the proposed service charge.

(b) The proposed rate or amount of the proposed service charge to be imposed in the district during the calendar year and the nature and character of special services to be rendered in the district during the calendar year.

(c) A statement that an owner may appeal an assessment of the service charge to district court including the procedure for appeal.

The service charge may be levied at any time not later than six (6) months after the public hearing by a vote of a majority of all of the members of the city council.

454.50. Assessment of service charges. Except as otherwise provided herein, the service charges imposed under sections 454.30 and 454.40 shall be assessed against parcels of real estate within the district in the manner and subject to the procedures provided in Minnesota Statutes, Section 429.061, 429.071 and 429.081; provided that each assessment shall be payable in a single tax year. Within thirty (30) days after the adoption of the assessment, any person aggrieved may appeal to the district court by serving a notice of appeal upon the mayor or city clerk; provided that no appeal may be taken unless the person appealing shall have filed a signed, written, objection with the city clerk prior to the assessment hearing or shall have presented it to the presiding officer at the hearing, unless a reasonable cause shall exist for such person's failure to do so.

454.60. Ad valorem property tax. The city may, in each calendar year, levy a tax on taxable property in the district based upon the assessed value of the property and such tax shall be assessed and collected in the same manner as other property taxes on property located within the district. The tax shall be levied at a rate that will raise an aggregate sum, which, when combined with any service charges levied in the district, will equal the total costs of the city in providing the services specified in this ordinance for the next ensuing calendar year; provided however, that taxes may be levied in the year 2000 for services rendered and to be rendered in the calendar years 2000 and 2001. Prior to the levy of such a tax, a public hearing shall be held. The requirements for the public hearing and the notice of public hearing shall be the same as specified in section 454.40 with respect to the levy of special service charges, and the tax may be levied not later than six (6) months after the public hearing by a majority vote of all of the members of the city council.

For purposes of determining the appropriate tax rate, taxable property or value shall be determined without regard to captured or original assessed value under Minnesota Statutes, Section 273.76, or to the distribution or contribution value under Minnesota Statutes, Section 473F.08.

Property exempt from taxation by Minnesota Statutes, Section 272.02, shall be exempt from such tax. Taxes levied under this section shall not be reduced pursuant to Minnesota Statutes, Section 273.13, Subdivisions 7, 7d or 14a.

454.70. Revenue surplus or deficit. In the event that the cost of services rendered in the district in any calendar year exceeds the total taxes and service charges levied and collected with respect to

such calendar year, an amount necessary to recoup the excess costs shall be levied as taxes, service charges, or both in the next ensuing year; to the extent that the total taxes and service charges exceed the cost of services, the next ensuing year's levy of taxes and service charges shall be decreased by a corresponding amount.

454.80. Limitation. Taxes and service charges may be levied pursuant to this chapter to finance special services ordinarily provided by the city only if the services are provided in the district at an increased level and, then, only in an amount sufficient to pay for the increase.

454.90. Advisory board. (a) An advisory board to be known as the South Hennepin Avenue Special Service District Advisory Board consisting of nine (9) members, who are residents of the district or owners of property within the district, shall be appointed by the city council for terms of two (2) years beginning on January first of each even numbered year, the first term to commence January 1, 2001. All board members shall be appointed in conformance with the city's open appointments ordinance. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment was made and shall be for the unexpired term. Board members shall serve until their successors are appointed.

(b) Advisory board shall advise the city council in connection with the construction, maintenance, and operation of improvements and the furnishing of special services in the district. It shall make recommendations to the city council on requests and complaints of owners, occupants, and users of property within the district and members of the public.

(c) Before adoption of any proposal by the city council to provide services or impose taxes or service charges within the district, the advisory board of the district must have an opportunity to review and comment upon the proposal.

(d) Upon or after the effective date of this ordinance, the city council may appoint a temporary advisory board consisting of nine (9) members who shall be required to have the qualifications specified in paragraph (a) of this section. Said temporary advisory board shall have all of the powers, duties and responsibilities of, and shall be known as the South Hennepin Avenue Special Service District Advisory Board from its date of appointment through December 31, 1995. In appointing the temporary advisory board members, the city council shall not be bound by the provisions of Minneapolis Code of Ordinances, section 14.180.

454.100. Definitions and construction. The terms used herein shall be defined as provided in Laws of Minnesota, 1985, Chapter 302 as amended, and this ordinance shall be construed consistently therewith.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration neighborhood plans to landscape in the area of Highway I-394 at the Penn Av interchange and having been informed that the Minnesota Department of Transportation (MnDOT) will reimburse the City for the cost of planting materials, now recommends passage of the accompanying resolutions:

a) Directing the proper City officers to execute an agreement with MnDOT; and

b) Increasing the PW - Transportation Capital Agency appropriation by \$1,615.44.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-205

By Mead and Campbell

Directing the proper City officers to execute a landscape partnership permit and agreement with the Minnesota Department of Transportation (MnDOT) in the Bryn Mawr Neighborhood.

Whereas, MnDOT and the City have prepared plans for landscape planting in the area of I-394 at the Penn Av interchange; and

Whereas, MnDOT has prepared a landscape partnership permit and agreement for the project detailing each party's responsibilities; and

Whereas, the Bryn Mawr neighborhood supports the project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to execute a landscape partnership permit and agreement (MnDOT Agreement #79912) with MnDOT for the Bryn Mawr neighborhood landscaping project, designated by MnDOT as State Project #2789-969A (T.H. 394=010).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-206

By Mead and Campbell

Amending The 2000 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$1,615.44 and increasing the revenue source (4100-943-9440-Source 3215) by \$1,615.44.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Priority Vehicle Control System and software modification needed for the Metro Transit Global Positioning System, now recommends:

a) Approval of Supplemental Agreement #1 authorizing the City to use Municipal State Aid (MSA) funds for the software modifications;

b) Passage of the accompanying resolution increasing the PW - Transportation Capital appropriation by \$41,600 to reflect the receipt of MSA funds;

c) That the proper City officers be authorized to execute an agreement with Rennix Corporation in the amount of \$41,400 to complete the necessary software modifications, concurring with the recommendation of the Permanent Review Committee that said agreement be entered into notwithstanding the City's requirement for a Request for Proposals process.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-207

By Mead and Campbell

Amending The 2000 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$41,400 and increasing the revenue source (4100-943-9440 - Source 3215) by \$41,400, for software modifications to the Metro Transit Global Positioning System, the cost of which will be fully reimbursed by Municipal State Aid funds in accordance with Supplemental Agreement #1 for State Aid Project 141-020-85.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends concurrence with the Permanent Review Committee in their recommendation to waive requirements for professional services contracts to allow the City Attorney to select expert witnesses for police liability matters on a case-by-case basis, provided such experts are selected pursuant to the following guidelines:

1) The expert has demonstrated expertise in the area of police administration or police practices, including as a minimum, the following requirements:

- a) advanced degrees or certification in the area;
- b) prior experience as an instructor or lecturer in the area;
- c) author of published books or articles on related topics; or
- d) prior courtroom testimony in the needed area of expertise;

2) The expert has experience testifying for both plaintiffs and defendants;

3) The City Attorney's Office receives positive referrals or recommendations from local law enforcement agencies or experienced, practicing attorneys;

4) The expert's fee is within acceptable parameters; and

5) The expert has acceptable availability and the ability to respond quickly, especially to meet court-imposed deadlines.

Your Committee further recommends that the City Attorney be authorized to execute contracts with selected experts, as necessary, to meet City requirements for police liability cases, in an amount not to exceed \$25,000 for each expert.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the City Attorney be authorized to conduct a legal ethics seminar and to charge a fee of \$10 per person to cover seminar-related expenses.

Your Committee further recommends that the Finance Officer be directed to provide all necessary services incident to the collection and disbursement of any excess funds from the seminar and that said excess funds be appropriated to the Attorney Agency in the General Fund (0100-140-1410) and be used to defray training expenses for department staff (at the discretion of the City Attorney).

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that a lawsuit filed against the City be settled and be payable to Sherri Halleland and her attorney, Michael D. Swor, in the amount of \$9,500, payable from the Self Insurance Fund (6900-150-1500-6070).

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the Permanent Review Committee in their recommendation to waive selected City of Minneapolis procurement requirements and to authorize the proper City officers to execute a contract with Kenneth Brunsvold, Supervisor, Grants and Special Projects, to provide ongoing grant-related services until a replacement is hired, for a period from four to six months, in an amount not to exceed \$50,000, payable from the Communications Agency, with a portion to be from the General Fund (0100-800-8031) and a portion to be from the Community Development Block Grant/Urban Development Action Grant (CDBG/UDAG) Fund (0400-800-8031).

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of a \$1,000,000 Economic Development Administration Grant for the Rehabilitation of Franklin Circles Shopping Center Project, in conjunction with the American Indian Business Development Corporation.

Your Committee further recommends that the proper City officers be authorized to execute the required grant and sub-recipient agreements, as required to implement the project.

Your Committee further recommends passage of the accompanying Resolution increasing the Non-Departmental Agency appropriation and revenue estimate by \$1,000,000.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-208
By Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Community Development Block Grant/Urban Development Action Grant (CDBG/UDAG) Fund (0400-123-1232) by \$1,000,000, and increasing the Non-Departmental Agency revenue estimate in the CDBG/UDAG Fund (0400-123-1232-Source 3210) by \$1,000,000.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000. J. Cherryhomes, President of Council.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of \$6,250 from the Minneapolis Foundation to provide funds for the Minneapolis Arts Commission's Neighborhood Arts Program.

Your Committee further recommends passage of the accompanying Resolution increasing the City Coordinator Agency appropriation and revenue estimate by \$6,250.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-209
By Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Coordinator Agency in the Grants - Other Fund (0600-840-8450) by \$6,250 and increasing the City Coordinator Agency revenue estimate in the Grants- Other Fund (0600-840-8450-Source 3720) by \$6,250.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000. J. Cherryhomes, President of Council.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a lease agreement with Hennepin County for new voting equipment, at no cost to the City, but requiring trade-in of the City's-current equipment and on-going election programming services, with the understanding that the City will be responsible for storing and maintaining the County-owned equipment.

Your Committee further recommends that the County execute a maintenance agreement with the vendor (upon expiration of the warranty period on December 31, 2001), with the cost of said maintenance agreement to be paid by the City at a rate of \$125 per unit, for a total of \$18,750 (150 units), beginning January 1, 2002, to be payable from the Elections and Registrations Agency Appropriation in the General Fund (0100-264-2643).

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the Permanent Review Committee in their recommendation that the proper City officers be authorized to issue a Request for Proposals (RFP) to provide space planning and asset management services until such time as a technical assistant can be hired.

Your Committee further recommends that the proper City officers be authorized to execute Amendment #1 to Contract #14925 with RSP Architects, Ltd, extending the contract period to provide continuing space planning services until the RFP process can be completed (at which time the contract will be discontinued), and increasing the contract amount by \$25,000, for a new contract total not to exceed \$50,000, payable from the Finance Department Agency in the General Fund (0100-820-8215).

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of a request from the Elections Office to insert in the July, 2000 utility billings a message containing Year 2000 voting and election judge information, as more fully set forth in Petn No 265867 on file in the Office of the City Clerk.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with the Minneapolis Public Schools, Special School District #1, for the City to provide personnel services in the Year 2000, which will generate approximately \$200,000 in revenue to the City.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with CyCom Data Systems to cover costs relating to upgrading and customizing of the CityLaw Records Management System for the City Attorney's Office, with said work having been performed during the period from November 1, 1999 through December 31, 1999, for an amount not to exceed \$68,370, payable from the Strategic Information System Planning (SISP) Projects Agency in the Permanent Improvement Projects Fund (4100-972-A140).

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the Permanent Review Committee to waive the Request for Proposal process to enable the Information and Technology Services Department to hire IBM as a provider of software maintenance services.

Your Committee further recommends that the proper City officers be authorized to negotiate and execute a contract with IBM for software support of the City's IBM RS6000 servers, with an option for annual renewal for the life of the systems or until the ITS Department determines the agreement is no longer viable or is no longer an appropriate expense, for the period from January 1, 2000 through December 31, 2000, for the estimated amount of \$40,000, payable from the ITS Agency in the Intergovernmental Services Fund (6400-880-8843).

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the Permanent Review Committee to waive the Request for Proposals process to enable US West to provide high-speed data services/digital subscriber lines (DSL) at various City locations, which will allow the City to receive improved network performance at a lower cost.

Your Committee further recommends that the proper City officers be authorized to negotiate, execute and implement a contract with US West to provide MegaCentral DSL for a minimum term of one year and MegaSubscriber DSL on a month-to-month basis, for a period to begin on or about June 1, 2000, for a total annual amount not to exceed \$40,000, payable from the Information and Technology Services Agency in the Intergovernmental Services Fund (6400-880-8886), with optional annual renewal through 2003.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to upgrade two Full Time Equivalent (FTE) City Planner I positions to City Planner II.

Your Committee further recommends approval of a variance from City policy to promote Jack Byers, currently a City Planner I, Step 3, to the position of City Planner II, Step 5, to retain this increasingly important skill set in the department.

Your Committee further clarifies that the second upgrade is intended to attract qualified applicants with design backgrounds and adequate experience and expertise.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the Park Board's request to allocate bond proceeds to the following Year 2000 Net Debt projects:

- a) St. Anthony Park;
- b) Corcoran Park;
- c) Riverside Park;
- d) North Commons Park;
- e) Keewaydin Park;
- f) Off-Leash Recreation Areas;
- g) Infrastructure;
- h) Inter-modal Surface Transportation Efficiency Act (ISTEA) Grant Match;
- i) Neighborhood Revitalization Program (NRP) Matching; and
- j) Riverside Park Athletic Field.

Your Committee recommends passage of the accompanying Resolution amending Resolution 99R-427, entitled "Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$21,595,000, for certain purposes other than the purchase of public utilities," to identify projects for which the bond proceeds for the Park and Recreation Board will be used, in the amount of \$2,200,000.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-210

By Campbell

Amending Resolution 99R-427, entitled "Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$21,595,000, for certain purposes other than the purchase of public utilities," to identify projects for which the bond proceeds for the Park & Recreation Board will be used, in the amount of \$2,200,000.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$2,200,000, the proceeds of which are to be used for the following Park Board Capital Projects, in the amounts necessary for said projects:

By the Park & Recreation Board, in the amount of \$2,200,000, for:

HD St. Anthony Park;
HD Corcoran Park;
HD Riverside Park;
HD North Commons Park;
HD Keewaydin Park;
HD Off-Leash Recreation Areas;
HD Infrastructure;
HD ISTE Grant Match;
HD Neighborhood Revitalization Program (NRP) Matching; and
HD Riverside Park Athletic Field.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to implement tax-free parking deductions for eligible employees, for the contract period beginning July 1, 2000.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to change the status of the Manager, Grants and Special Projects position from Civil Service, classified, to Appointed, unclassified.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources, to be effective July 14, 2000.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-029, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, changing the status of the Manager, Grants and Special Projects position from Civil Service, classified, to Appointed, unclassified, and setting the salary for said position, was passed May 5, 2000 by the City Council and approved May 10, 2000 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2000-Or-029
By Campbell
1st & 2nd Readings: 5/5/2000

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)
Effective: July 14, 2000

Schedule B*		CLASSIFICATION	PTS	G	P	Start	After 1	After 3	After 6
FLSA	OTC						Year	Years	Years
E	1	Manager, Grants and Special Projects	573	12	A	\$71,494	75,257	77,514	79,020

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the petition of Minneapolis Special School District #1 (Vac #1292) to vacate a portion of 22nd Av S at E Lake St to 288 feet south of the southerly right-of-way line of E Lake St to permit site assembly for the YWCA Urban Sports Center, transfer of title to the right-of-way on 22nd Av S to the school district, and re-routing of 22nd Av, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 265876 and to grant said vacation, subject to retention of easement rights by the City.

Your Committee further recommends passage of the accompanying resolution vacating said portion of 22nd Av S and summary publication of same.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-211, entitled "Vacating a portion of 22nd Avenue South at East Lake Street to 288 feet South of the Southerly right-of-way line of East Lake Street. (Vac No 1292)" was passed May 5, 2000 by the City Council and approved, May 10, 2000 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2000R-211

By McDonald

Vacating a portion of 22nd Avenue South at East Lake Street to 288 feet South of the Southerly right-of-way line of East Lake Street. (Vac No 1292).

Resolved by The City Council of The City of Minneapolis:

That all that part of 22nd Avenue South right-of-way between Lake Street and 31st Street South described as follows: The point of beginning is on the East line of Block 1, Griswold's 2nd Addition, Hennepin County, Minnesota, a distance of 288.00 feet South of the Northeast corner of said Block 1, as measured along said East line; thence Northerly on an assumed bearing of N 00 degrees 37 minutes 53 seconds W, along said East line, a distance of 288.00 feet to the Northeast corner of said Block 1; thence S 81 degrees 54 minutes 35 seconds E, a distance of 36.27 feet; thence Easterly 42.04 feet, on a non-tangential curve, concave to the North, having a radius of 311.56 feet, a central angle of 07 degrees 43 minutes 52 seconds and a chord of 42.01 feet on a chord bearing of S 86 degrees 38 minutes 11 seconds E; thence 00 degrees 30 minutes 00 seconds E, non-tangent to said curve, a distance of 20.00 feet; thence Southwesterly 112.93 feet on a tangential curve, concave to the West, having a radius of 209.50 feet, and a central angle of 30 degrees 53 minutes 01 seconds; thence S 30 degrees 23 minutes 01 seconds W, tangent to said curve, a distance of 12.58 feet; thence Southerly 148.86 feet, along a tangential curve, concave to the East, having a radius of 289.50 feet, and a central angle of 29 degrees 27 minutes 38 seconds, to the point of beginning and there terminating is hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to the City of Minneapolis:

Water: A 30 foot wide water main easement, being centered 15 feet Westerly of the original centerline of 22nd Avenue South from Southerly right-of-way line of East Lake Street to 288 feet South of the Southerly right-of-way line of East Lake Street.

Sewer: A 30 foot wide easement, being centered on the original centerline of 22nd Avenue South from the Southerly right-of-way line of East Lake Street to 288 feet South of the Southerly right-of-way line of East Lake Street.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities, and said easement right and authority is hereby expressly reserved to the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Kevin Tharp from the decision of the Board of Adjustment denying a request for variance of the setback for the south side yard from 15 ft to 6 ft at 2728 Bloomington Av S (V-4607) to permit a manufactured home with primary entrance facing the interior south lot line to remain, and having conducted a public hearing thereon, now recommends that the appeal be denied in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference. (Petn No 265874)

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the application of Tom Manley dba Manley Motors to rezone property at 404 W Lake St from the C1 to the C2 zone to permit new and used motorcycle sales and repair with some accessory sales, now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petn No 265876 and to approve said application. (64070).

Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 2000-Or-030
By McDonald
1st & 2nd Readings: 5/5/2000

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of the west 86.57' of lots 6 & 7, Block 11, Excelsior Addition to Minneapolis, and the south 25' of lot 5, Block 11, Excelsior Addition to Minneapolis (404 West Lake Street - Plate 25), to the C2 District.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000. J. Cherryhomes, President of Council.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Republished July 11, 2000)

MOTIONS

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petn No 265879) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted. Yeas, 11; Nays none.
Absent - Johnson, Biernat.
Passed May 5, 2000.
Approved May 10, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Campbell moved to introduce the subject matter of an ordinance amending Appendix H, Chapters 1 and 2 of the Minneapolis Code of Ordinances relating to *Minneapolis Cable Communication Franchises*, which was given its first reading and referred to the Ways & Means/Budget Committee for a public hearing May 15, 2000, at 1:30 p.m.

Thurber moved to introduce the subject matter of an ordinance amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to *Zoning Code: Downtown Districts*, which was given its first reading and referred to the Zoning & Planning Committee (Amending or adding sections related to regulated uses and sexually oriented video sales and rental).

Campbell moved adoption of "The City of Minneapolis, Minnesota Policies and Procedures Governing Application, Review and Recommendations Regarding Grant of Competitive Cable Franchises" and direction to staff to issue "Notice of Intent to Franchise", both consistent with Minnesota Statutes, Section 238. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell's motion to waive the parade permit 60-day requirement for The Seward Neighborhood Group Kickoff parade on June 3, 2000, was deleted from the agenda.

Colvin Roy moved to introduce the subject matter of ordinances amending Title 14, of the Minneapolis Code of Ordinances relating to *Liquor and Beer* which were given their first reading and referred to the Public Safety & Regulatory Services Committee, on the following Chapters:

a) 360, *In General*, Amending Section 360.100 to add a paragraph k) to regulate the method of sales in outdoor areas; and

b) 366, *Beer Licenses*, Restricting the scope of off-sale 3.2 beer licenses for premises licensed for on-sale beer, wine, and liquor where establishments are located within the central commercial district as described in Section 361.10.

Goodman moved to waive the 30-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Jason McLean for a business district block event to be held May 21, 2000, between the hours of 5:00 p.m. and 10:30 p.m. on Harmon Place between 16th and Hennepin Av (in front of the Loring Cafe), having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTIONS

Colvin Roy and Mead offered the following Resolution:

RESOLUTION 2000R-212

Supporting the petition for a boundary change by the Minnehaha Creek Watershed District.

Whereas, the Minnehaha Creek Watershed District (MCWD), established in 1967, includes a sizable portion of the City of Minneapolis, including the land area that drains to the Minnehaha Creek and to the Mississippi River; and

Whereas, 965 acres of the City are within the Mississippi River drainage area and also are currently located in the MCWD; and

Whereas, 735 additional acres within the Mississippi River drainage area lie south of the Minneapolis city limits, and have never been subject to any watershed district or water management organization authority; and

Whereas, a portion of the 735 acre area drains directly into the Minneapolis storm sewer system; and

Whereas, the MCWD has filed a petition with the Minnesota Board of Water and Soil Resources to change its legal boundary to include the 735 acre Mississippi River drainage area not currently subject to watershed district or water management organization jurisdiction; and

Whereas, the MCWD has established rules to review land development projects for their impact on water resources, and has carefully reviewed and paced permit conditions on the Highway 55 construction project so as to assure that construction activity does not adversely impact surface water and groundwater resources in the highly valued Minnehaha Falls gorge area; and

Whereas, the Highway 55 construction period will continue into the Mississippi River drainage area that is not currently subject to watershed district authority, and the cause of water resource protection would be well served by continued MCWD review of this project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That with this resolution, the City expresses to the Minnesota Board of Water and Soil Resources its support for the petition by the Minnehaha Creek Watershed District to change its legal boundary to include the additional Mississippi River drainage area.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell offered the following Resolution:

RESOLUTION 2000R-213

Requesting the State Historic Preservation Officer to approve the design of the Fifth St light rail transit station.

Whereas, a light rail transit (LRT) line will be constructed and operated through downtown Minneapolis along Fifth St between Chicago Av and Nicollet Mall; and

Whereas, an LRT station will be located on Fifth St between Minneapolis City Hall and the Hennepin County Government Center; and

Whereas, the preliminary design of the station was accomplished with input of the City of Minneapolis, Hennepin County, the Municipal Building Commission, Minneapolis Building Owners and Managers Association and other downtown interests; and

Whereas, this particular station design was received with enthusiasm by all participants;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City requests the State Historic Preservation Officer to approve the design of the light rail transit station location on Fifth St between Minneapolis City Hall and the Hennepin County Government Center as submitted to them for review, without change to the proposed roof framing plan.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

Passed May 5, 2000.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Thurber, Colvin Roy and Ostrow offered the following Resolution:

RESOLUTION 2000R-214

Relating to the Minneapolis Public Library Board's policy on access to the Internet.

Whereas, the Minneapolis Public Library Board has adopted a policy of permitting access to the Internet at Library sites; and

Whereas, some patrons of the Library system are accessing obscene or pornographic materials; and

Whereas, these materials may be harmful to minors and children or may be available to other library patrons and employees who do not desire to be exposed to obscene or pornographic materials; and

Whereas, the Minneapolis City Council is concerned that additional steps by the Minneapolis Public Library Board may be necessary to protect the public health, safety and welfare by limiting access to obscene or pornographic materials on the Internet while protecting the First Amendment rights of citizens to access Library materials, including those on the Internet;

Now, Therefor, Be It Resolved by the City Council of The City of Minneapolis:

That the Minneapolis Public Library Board is urged to review its adopted policy as soon as possible and, if appropriate, consider limiting Internet access to Library patrons in a manner similar to that adopted by the St. Paul Public Library.

Be It Further Resolved that the Minneapolis Public Library Board is urged to review the legal issues relating to Internet access and access to obscene or pornographic materials with the Minneapolis City Attorney, as the Minneapolis Public Library Board reviews its adopted Internet access policy.

Be It Further Resolved that the Minneapolis Public Library Board is urged to work with the Minneapolis Police Department to assure appropriate law enforcement support for library Internet access policy.

Adopted. Yeas, 10; Nays 1 as follows:

Yeas - Herron, Thurber, Ostrow, Campbell, Niland, Goodman, Colvin Roy, McDonald, Mead, Cherryhomes.

Nays - Lane

Absent - Johnson, Biernat.

Passed May 5, 2000. J. Cherryhomes, President of Council.

Approved May 10, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ostrow moved to direct the City Attorney's office to review our current ordinances governing access to materials harmful to minors and report to the Public Safety & Regulatory Services Committee on possible amendments to address issues regarding Internet access. Seconded.

Adopted upon a voice vote.

UNFINISHED BUSINESS

Tires for Less (3011 3rd Av S): Revoke Motor Vehicle Repair Garage License, due to non-compliance with site plan and conditional use permits. (Postponed 12/17/99, PS&RS)

Burma (Myanmar): Sent forward without recommendation Passage of Resolution regarding selective purchasing issues; Authorize summary publication.

Step Increase: Grant increase to third step rate of pay to Vickie Brock, Ward 8 Council Member Assistant, effective April 24, 2000 and grant increase to fourth step rate of pay on anniversary date of August 17, 2000.

By unanimous consent, the above items under Unfinished Business were continued to be postponed.

NEW BUSINESS

Mead announced that the Public Works Department won a Merit Award for outstanding performance from the State of Minnesota in conjunction with the Department of Transportation and Concrete Paving Association. This award is made to the City of Minneapolis in recognition of the high quality concrete pavement construction located on Lyndale Avenue in Minneapolis, above the Lowry Hill Tunnel, which has been rated the best project of its type completed in Minnesota during 1999.

MAY 5, 2000

Campbell moved to adjourn to Room 315 City Hall immediately following the Minneapolis Community Development Agency Board of Commissioners meeting for an adjourned City Council session for consideration of the Sizer, et al. vs. City of Minneapolis lawsuit and to discuss the policy on reemployment of retirees. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Johnson, Biernat.

MERRY KEEFE,
City Clerk.

Created 5/82000; Modified 5/10/2000;
5/18/2000; 6/20/2000; 7/10/2000; 7/11/2000.